

Sec. 31-231a-3. Identification of construction workers

(a) Pursuant to the provisions of Connecticut Agencies Regulations Section 31-222-9(1), the information provided by an employer on an unemployment notice given to a construction worker must contain the individual's classification code to which the majority of hours worked were charged in the most recent pay period preceding the issuance of such notice.

(b) In cases where the employer fails to provide the individual's classification code, and the individual indicates that he is a construction worker, the Administrator may take any action he deems necessary and appropriate to obtain the classification code from the employer. This may include appropriate reliance upon the Administrator's records which indicate the individual's prior classification code assigned when the individual initiated a previous benefit year.

(c) In cases where the employer fails to provide the individual's classification code the Administrator shall obtain sufficient information from the individual on which to conclude whether the individual is a construction worker. Where the Administrator determines that an individual is a construction worker, he shall assign to the individual that classification code which he is best able to ascertain is the correct code.

(d) In determining whether an individual is or is not a construction worker under this section, the Administrator shall consider the individual's most recent employment prior to establishing a benefit year.

(1) However, the Administrator may disregard any non-construction worker employment where such employment relationship:

(A) existed for thirty or less calendar days following the individual's separation from employment as a construction worker; or

(B) was intended to be temporary in nature, and provided the individual was a construction worker subsequent to the beginning of his base period.

(2) In addition, the administrator may disregard any construction worker employment where such employment relationship:

(A) existed for thirty or less calendar days following the individual's separation from non-construction worker employment; or

(B) was intended to be temporary in nature, and provided the individual was engaged in non-construction worker employment subsequent to the beginning of his base period.

(Adopted effective October 23, 1996; Amended March 5, 1998)